

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CELIA VALDEZ, *et al.*,

Plaintiffs,

v.

MARY HERRERA, *et al.*,

Defendants.

CIVIL ACTION NO. 1:09-cv-668 JCH/DJS

**NOTICE TO COURT OF SETTLEMENT AGREEMENT
REGARDING PLAINTIFFS' REQUEST FOR ATTORNEYS' FEES AND LITIGATION
EXPENSES AS TO DEFENDANTS RODRIQUEZ AND MICHAEL SANDOVAL**

On July 1, 2010, Plaintiffs Cecelia Valdez, Graciela Grajeda, and Jesse Rodriguez, and Defendants Mary Herrera, in her capacity as New Mexico Secretary of State ("SOS"), Dorothy Rodriquez, in her capacity as Secretary of the New Mexico Taxation and Revenue Department ("TRD"), and Michael Sandoval, in his capacity as Director of the Motor Vehicle Division ("MVD"), entered into a settlement agreement resolving Plaintiffs' claims in this lawsuit asserting violations of Section 5 of the National Voter Registration Act (NVRA), 42 U.S.C. § 1973gg-3. [Doc. 84-1.]¹ Pursuant to section XI of the agreement, Plaintiffs are "entitled to recover reasonable attorneys' fees and litigation expenses" from TRD, MVD, and the SOS, the parties are required to "confer in good faith to resolve the amount and payment of attorneys' fees and litigation expenses," and Plaintiffs' are entitled to file an application for attorneys' fees and expenses if agreement is not reached.

¹ In June 2010, Dorothy Rodriquez replaced Rick Homans as the Secretary of the New Mexico Taxation and Revenue Department. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, she has been automatically substituted as a party in this action.

This is to inform the Court that Plaintiffs and Defendants Rodriquez and Sandoval have reached agreement on payment of attorneys' fees and litigation expenses by TRD and MVD, and therefore Plaintiffs' claims against TRD and MVD are fully resolved. Plaintiffs and Defendant Herrera have not reached agreement, and Plaintiffs will be filing an application for attorneys' fees and expenses as to Defendant Herrera.

Dated: August 11, 2010

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